

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Confirmation Number	7371
Application Number	10/596,500
Filing Date	June 15, 2006
First Named Inventor	Jean-Francois Bonfanti
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	TIP-0053-USPCT

U.S. PATENT DOCUMENTS

Exam Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
/B.M./		4,179,505		Janssen Pharmaceutica N.V.	12-18-1979	
/B.M./		4,943,580		Janssen Pharmaceutica N.V.	07-24-1990	
/B.M./		6,274,611		The United States of America as represented by the Department of Health and Human Services	08-14-2001	

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ₆
		Office ³	Number ⁴	KindCode ⁵				
/B.M./		WO	01/00611	A	Janssens Frans Eduard et al.	01-04-2001		
/B.M./		WO	01/00615	A	Janssens Frans Eduard et al.	01-04-2001		
/B.M./		WO	01/00612	A	Janssens Frans Eduard et al.	01-04-2001		
/B.M./		WO	02/092575	A1	Trimeris, Inc.	11-21-2002		
/B.M./		WO	02/090,347	A1	Fujisawa Pharmaceutical Co., Ltd.	11-14-2002		
/B.M./		WO	03/053,939	A1	Societe De Conseils De Recherches Et D' Applications Scientifiques (S.C.R.A.S.)	07-03-2003		
/B.M./		WO	92/01687	A1	Janssens Frans Eduard et al.	02-06-1992		
/B.M./		WO	95/03298	A1	Fujisawa Pharmaceutical Co., Ltd.	02-02-1995		
/B.M./		WO	01/000909	A1	Anmelder und	01-04-2001		
/B.M./		EP	0005318	B1	Janssen Pharmaceutica N.V.	01-06-1982		
/B.M./		EP	111993	A2	Eli Lilly And Company	06-27-1984		
/B.M./		FR	2,731,707	A	Synthelabo	09-20-1996	* See note on Page 2	
/B.M./		DE	2,813,523	A1	Janssen Pharmaceutica N.V.	10-05-1978	Cumulative - See US equivalent- US 4,179,505	
/B.M./		SU	1,1637663	A1	Janssen Pharmaceutica N.V.	07-24-1990	Cumulative - See US equivalent- US 4,943,580	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
/B.M./		A. Da Settimo et al., Eur. J. Med. Chem., vol.27, no.4, 1992, pages 395-400, XP009029532, table II	
/B.M./		DA Settimo Antonio et al: " Synthesis of 2-methylaminobenzimidazole derivatives tested for anti-inflammatory activity" IL FARMACO, ROME, IT, vol. 49, no. 12, 1994, pages 829-834, XP002954490, ISSN: 0014-827X, table 1	
/B.M./		DATABASE CA Online! Chemical abstract service, Columbus, Ohio, US; Koalev, G.V. et al: " Effects of condensed derivatives of benzimidazole on gastric secretion" XP002321510 retrieved from STN Database accession no. 1990:210542 * see RN86978-99-6 abstract & Khimiko-Farmatsevticheshii Zhurnal 24(2), 127-30 Coden: Khfzan; ISSN: 0023-1134, 1990	
/B.M./		DATABASE CA Online! Chemical abstract service, Columbus, Ohio, US; Hunger, A. et al: " Benzimidazole and related heterocycles. VII. New 2-aminobenzimidazoles" XP002321511 retrieved from STN Database accession no. 1962:12985 * see RN 100023-02-7* abstract & Helvetica Chimica ACTA, 44, 1273-12 Coden: HCACAV; ISSN: 0013-019X, 1961	
/B.M./		DATABASE BEILSTEIN XP002321512 * see BRN 4523007* abstract & Anisimova et al.: Khim. Geterotsikl. Soedin., vol. 23, no. 1, 1987, pages 59-63, *see RN 111679-18-6*	
/B.M./		DATABASE BILSTEIN XP002321513 * see BRN 1601703* abstract & Simonov et al.: Khim. Geterotsikl. Soedin., vol. 6, 1970, page 419, * see RN 27185-23-5*	
/B.M./		DATABASE BEILSTEIN XP002321514 * see BRN 926817* abstract & Zvezdina et al.: Khim. Geterotsikl. Soedin., vol.6 1970, page 419, * see RN 27185-23-5*	
/B.M./		Molina et al.: Chemische Berichte, vol. 127, no.9, 1994, pages 1641-52, examples 13b, 13c	
/B.M./		Janssens et al. Journal of Medicinal Chemistry, Vol 28 (1985), pp. 1934-1943	
/B.M./		Xue et al. Bioorganic & Medicinal Chemistry Letters Vol. 6 (1996), pp. 339-344	
/B.M./		Goodman and Gilman's " The Pharmacological Basis of Therapeutics", Eighth Edition, pp 1-15	
/B.M./		Wyde et al.: " CL387626 exhibits marked and unusual antiviral activity against respiratory syncytial virus in tissue culture and in cotton rats". Antiviral Research 38 (1998) pp 31-42	

Examiner Signature	/Brian McDowell/	Date Considered	/Brian McDowell/
--------------------	------------------	-----------------	------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of U.S. Patent Documents at www.uspto.gov. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 3 of 3

Confirmation Number	7371
Application Number	10/596,500
Filing Date	June 15, 2006
First Named Inventor	Jean-Francois Bonfanti
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	TIP-0053-USPCT

Note: Non-English language reference FR 2,731,707 discloses benzimidazole compounds, their preparation and use as therapeutic agents. Chemical structures of the compounds are provided in the Table on pages 14-16 of the patent.

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

Please charge deposit account 10/0750 with any fees associated with this filing.

SEARCH REPORT

The citation listed are submitted on the basis of the PCT search report dated , that is in the English language that issued on the corresponding international patent application no. , copy attached.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Mary A. Appollina/	Date (YYYY-MM-DD)	2009-02-10
Name/Print	Mary A. Appollina	Registration Number	34,087

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.